MR. A. K. KUMARAN VAIDYAN:
106. To reduce the allotment of Rs. 2,33,069 for Establishment by Re. 1.

4—EXCISE—*Total allotment.*

MR. A. K. KUMARAN VAIDYAN:
107. To reduce the allotment of Rs. 4,71,427 for Excise by Re. 1.
MR. VARKALA K. MADHAVAN:
108. To reduce the allotment of Rs. 4,71,427 for Excise by Re. 1.
MR. P. V. MATHAI CHEMPARATHY:
109. To reduce the allotment of Rs. 4,71,427 for Excise by Re. 1.
MR. P. V. MATHAI CHEMPARATHY:
110. To reduce the allotment of Rs. 4,71,427 for Excise by Re. 1.

5—CUSTOMS—*Total allotment.*

MR. P. S. MUHAMED:
111. To reduce the allotment of Rs. 98,841 for Customs by Rs. 10.
MR. K. R. NARAYANAN:
112. To reduce the allotment of Rs. 98,841 for Customs by Re. 1.
MR. M. L. JANARDANA PILLAI:
113. To reduce the allotment of Rs. 98,841 for Customs by Re. 1.
MR. PULIYOOR T. P. VELAYUDHAN PILLAI:
114. To reduce the allotment of Rs. 98,841 for Customs by Re. 1.
MR. THARIATHU KUNJITHOMMEN:
115. To reduce the allotment of Rs. 98,841 for Customs by Re. 1.
MR. A. K. KUMARAN VAIDYAN:
116. To reduce the allotment of Rs. 98,841 for Customs by Re. 1.
MR. A. K. KUMARAN VAIDYAN:
117. To reduce the allotment of Rs. 98,841 for Customs by Re. 1.
MR. KANNANTHODATH JANARDANAN NAIR:
118. To reduce the allotment of Rs. 98,841 for Customs by Rs. 10.

The question was that Government be granted a sum of Rs. 6,90,435 minus Rs. 5 under Demand II—Excise Department—was put and carried. The grant was made.

DEMAND III—ADMINISTRATION OF JUSTICE.

MR. PUTHUPALLI S. KRISHNA PILLAI: Sir, I rise to move for a grant of Rs. 11,25,100 under Demand III—Administration of Justice.

The House rose for lunch at 1 P. M. and reassembled at 2 P. M.

MR. K. NARAYANAPERUMAL NADAR: Sir, I move to omit the allotment of Rs. 1,800 for Deputy Registrar by Re. 1—to speak of the abolition of the Deputy Registrar's post.

Sir, the Retrenchment Committee appointed in 1107 went into the whole question and made the following observation, on page 32 of the Retrenchment Committee's report. Sir, before reading this let me bring to your notice, that the non-official members of the Committee included among others the honourable member Mr. Puthupally S. Krishna Pillai (the present Legal Remembrancer), Mr. Pattam Thanu Pillai and myself. It is stated there, that "some reduction seems however to be possible in the office staff of the High Court. The

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[Mr. K. Narayanaperumal Nadar.]

appointment of the Deputy Registrar is in our opinion not justified by the volume of the ministerial work in the High Court. The work that is now being attended to by the Deputy Registrar may be conveniently divided between the Registrar and the Manager without dislocation of work. We therefore recommend that the post of the Deputy Registrar of the High Court be abolished. As regards the Registrar's post we find that although the sanction was for the appointment of one in the grade of 250 to 350, it has been almost the invariable practice of the High Court to appoint senior Munsiffs who are ripe for promotion as Second Judges, with a view to give the maximum in that scale. This is objectionable..... We accordingly recommend the appointment of the Registrar from the cadre of the District Munsiff and Munsiff of ripe experience being appointed in the place." The honourable Mr. Puthupally Krishna Pillai is transferred now to the official block from the non-official block. I am not going to say whether it is a promotion or a depromotion. But I trust in view of the extract that has been read that the honourable member the Legal Remembrancer will not waste his lungs in opposing the motion.

MR. PUTHUPALLY S. KRISHNA PILLAI: Sir, the honourable member Mr. Nadar refers to a statement made by the Retrenchment Committee in their report submitted to Government and he contends on the strength of that statement that the Deputy Registrar's post should be abolished. Certain observations have been made by me in my capacity as a member of that Committee. But I submit that after the presentation of that report, the question was carefully gone into by Government and also by the High Court. Some reallocation of work was made and it is now practically certain that this is a post which could not be dispensed with. No doubt, at the time the report was submitted there was some little justification for making that recommendation. But a very careful examination of the details of his work and the various factors now in existence which give him additional work, render his post indispensable. Those who are familiar with the work of the High court can very well realise how onerous are the duties and responsibilities of the Deputy Registrar. There are three Benches now working regularly in he High Court. The work of posting the cases for the week is managed by the Deputy Registrar. He has to see that all the papers are printed and got ready before a case is posted. He has to see that all notices are properly served on the parties and returned. It is his task to see that the Advocates who appear in the court are not put to any inconvenience in the posting of cases because it often happens that when the Deputy Registrar finds that a case is ripe for argument the Advocate is unavoidably absent. In such cases the Judges will have to adjourn sitting or.....

PRESIDENT: Does that happen?

MR. PUTHUPALLY S. KRISHNA PILLAI: Sir, because the lawyer is absent sometimes it happens. The Deputy Registrar has to attend on such occasions to the proper and convenient posting of the cases

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He has to arrange them to suit the conveniences of the Judges, the parties and the Vakils. Those who are familiar with the work that he is carrying on now knows that it is more than one man can do and the argument that the post must be abolished and that the work should be distributed between the Registrar and the Manager shows a lack of knowledge of how cases are arranged for each day. The High Court have intimated that over and above the preparation and keeping ready of all these records not only in the ordinary cases, but the Deputy Registrar has to prepare the records in Referred Trails, References, Review petitions and miscellaneous cases. The Deputy Registrar is to supervise the working of the Bench Clerks at each of the Benches. In fact it has since been possible for Government and the High Court to give sufficient work for the Deputy Registrar and the conditions which prevailed at the time the report was submitted do not exist at the present time. I, therefore, oppose the motion.

MR. K. NARAYANAPERUMAL NADAR : Sir, I do not press the motion.

The motion, was by leave, withdrawn.

MR. K. NARAYANAPERUMAL NADAR : I do not wish to move the next two cut motions standing to my name *viz.*, "To reduce the allotment of Rs. 1,56,304 for salaries and establishment by Re. 1." To speak of the policy of giving extension to ministerial staff and the desirability of disbanding those members of the ministerial staff enjoying extension of service.

Motion No. 122.

MR. VARKALA K. MADHAVAN : Sir, I move to reduce the allotment of Rs. 2,500/- 1or travelling allowance by Re. 1—to urge the necessity of exercising more control over the subordinates with a view to prevent malpractices prevailing in lower courts. My object in moving this motion is to emphasise the necessity of checking corruption prevailing among the staff of the Munsiffs Courts. The process servers and the Amins are most corrupt among the staff of the Munsiffs Courts. I have heard of Amins who are earning Rs. 500 to Rs. 600 per mensem, by their malpractices. I have heard of Amins who have made retired High Court Judges to bribe them. Sir, this is one of the primary causes of the Law's delays and these people are primarily responsible for that. I do not know whether the honourable Judges of our High Court are aware of this corruption but it is high time that we check the malpractices in the lower courts. There are many honourable members who can speak authoritatively on this and I place this motion for the consideration of the honourable members of this House.

MR. P. KUNJUKRISHNAN : Sir, I wish to make a few observations in support of this motion. This morning we heard arguments levelled against the officers of the Excise Department that a good portion among them are corrupt and that corruption and malpractices are prevalent in that Department. Sir, this is also one of the

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[Mr. P. Kunjukrishnan.]

Departments in which corruption prevails. In the lower ranks it is rampant. Corruption in Public Service is a matter which is to be viewed with very great concern by the Government. This is a question of general interest and it concerns the welfare both of the people and the Government. By this motion it is intended to bring to the notice of the House and the Government the fact that the subordinates in the Judicial Department are prone to corruption. I may confine myself to this point at present, while at the same time, I bring to the notice of this House that corruption and bribery are rampant in almost all the Departments of the State. I do not refer to the higher grades in the Departments. The higher grades are generally free from bribery. I know that. But the intermediate and the lower grades in all Departments are very lamentably prone to this malpractice. While referring to this particular question I am aware that there must be experienced members in this House and in the Bar who must have known the real state of affairs prevailing. My friend referred to the fact that there are Amins earning Rs. 500 a month by resorting to such malpractices. The honourable member referred to Amins and process servers alone. But this cannot be confined to them alone. Take, for example, the execution clerk, the Bench clerk or other clerks in the Munsiffs' Courts or the District Courts or the Magistrate Courts etc. Take the case of the ordinary clerks of the ministerial section of the department. We know, as a matter of fact, that many among them are receiving money every day, every week, hour after hour. That is a fact which cannot be ignored.

PRESIDENT: Who pays them?

MR. P. KUNJUKRISHNAN: It is the public. I am coming to that presently. I know that it is the public that pays them.

PRESIDENT: Do you include the lawyers in the term 'public'?

MR. P. KUNJUKRISHNAN: Indirectly the lawyers also because they are put to such a position. The public are under certain disadvantages. The laws make provision that those who give bribes are also brought to book, along with the persons receiving bribes. It is because of that that the public are not coming forward with their grievances for fear that they will be dealt with severely. In this case, my first and foremost submission is that the law should be changed in such a way as to give protection for those who have given bribes but at the same time have sought the protection of the authorities. It is a matter for great relief that it has been stated from the Chair that if any person brought to the notice of the Government that a particular officer received bribes from him the matter will be considered and that the person who bribed will not be prosecuted.

PRESIDENT: No. No. If a bribe giver will definitely mention to Government the fact that he gave the bribe, for the sake of putting down corruption Government may not prosecute him. But, in any case they will not pat him on his back.

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MR. P. KUNJUKRISHNAN: Sir, my submission is that taking the Judicial Department alone, the Ministerial staff and the low paid servants of the Department, many among them are able to earn much larger amounts of money every month than most of these highly paid officers. It is due to the corrupt practice of receiving bribes prevailing among them that they are able to earn much. Therefore, I may submit that in order to avoid corruption and bribery in the State, not only in the Judicial Department but in every other Department, and to put a check to it effectively suitable action should be taken by Government themselves. For this the head of the administration should institute a separate C. I. D. section to serve this special purpose, and this C. I. D. section must be directly under the control of the head of the administration.

PRESIDENT: Why does the honourable member assume that it is not one already in existence. Perhaps the honourable member does not find any provision for it in the budget.

MR. P. KUNJUKRISHNAN: Because I do not find it lessened Sir. If this section of the C. I. D. is thoroughly supervised and controlled and the men are reliable, drastic and suitable punishments can be awarded to the miscreants.

PRESIDENT: Does the honourable member suggest for a moment that officers can be punished merely on the basis of C. I. D. report?

MR. P. KUNJUKRISHNAN: Not exactly, Sir.

MR. M. SIVATHANU PILLAI: May I know from the member whether another section of C. I. D. is not needed to watch over this C. I. D section?

PRESIDENT: There is a very old proverb that big fleas have little fleas to bite them.

MR. P. KUNJUKRISHNAN: Sir, I would admit that it is a very difficult problem. But other Governments have taken strong measures to check corruption in public services. For instance, the Government of the United Provinces have taken very prompt steps in putting down malpractices in the public service. Sir, in view of the fact that the welfare of the people and the Government depend upon the honesty and the integrity of our public service, both of the lower grade and of the higher grade, it is highly necessary that immediate measures should be adopted to make our public service free from corruption and malpractices. I have already suggested how this can be done by the institution of a thoroughly dependable C. I. D. section under the direct control and supervision of the head of the administration.

MR. E. SUBRAMONIA IYER: Sir, I believe I shall be failing in my duty to myself, to the members of the bar, to the Judiciary and to the public at large if I do not say a few words on this question. It has been pointed out by several honourable members that corruption is rampant, at any rate, in the ministerial services of the Judiciary. I am not saying for a moment that here and there there may not be instances which require to be dealt with immediately; but to say that

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[Mr. E. Subramonia Iyer.]

the whole department is seething and stinking with corruption is making a very large statement without absolutely any foundation therefor. I have been a practitioner not only in the highest court in the land—every one of the public knows that fact—I have practised in the Munsiffs' Courts, I have practised in District Courts and now I am practising in the High Court. I am not going to state my experiences with reference to the latter period of my association with the bar. It must be pointed out at this stage that I had not been able to detect, or come into contact with or to find out any kind of malpractice which is an especial feature of our courts. But even in my younger days—let it be understood that I am not for making any general statements from my experience in my younger days—I had some experience of the ministerial work of the Judicial Department. For, in fact, it may not be known to many that for six months I had been the Head Clerk of the District Court, Kottayam. Even with my six months' experience, I am prepared to assert that the working of the ministerial staff of the Judiciary does not deserve such characterisation and condemnation as have been heard on the floor of this House to-day. Sir, it was pointed out that the process servers and the Amins do make a lot of money by receiving bribes. If the amount of money which a person is earning or has earned is to be taken as the criterion, I may say that that criterion may not stand the test. It may be that a person was making a lot of money every month or for that matter every day, but when we come to the closing balance probably his assets may come to a minus. Instances are not wanting of such cases. Without any offence to anybody I may say that the school masters are able to save much more than an average lawyer. Coming to my personal experience, I may say that when I was getting 50 S. Rs. as Head Clerk of the Kottayam District Court, I was able to save Rs. 3 a month. Now I may honestly tell you that in spite of the fair income which I am making at the bar, I find it difficult for me to make both ends meet.

Now turning again to the topic in hand I may state that I am not for relaxing the rigorous control which the Presiding officer or the head of the department should exercise over his ministerial staff so far as corruption is concerned. But I may say that the lawyers also have got a duty to the public and a duty to the country to see that such corruptions do not take place. Take for example a plaint is filed. The one general complaint is that the process servers comes away without effecting the proper service of the summons. He would return the process by saying that the particular person is not to be seen. Then what is the lawyer doing ? Is he to keep quiet over the matter ? He is in duty bound to bring the matter to the notice of the court and point out that the process server has been negligent. The party also can make complaints to the court about this. So, if the public and the lawyers mind they can remove much of the so called alleged corruption of the ministerial staff of the Judiciary. Then coming to the question of the execution of warrants by the peons, there is a

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general complaint that the peon goes to the party, takes some bribe from him and comes back without executing the warrant. But he can do that only once. If the lawyer or the party concerned makes a report, the peon is immediately punished. It is not enough to say that there is corruption in the Judiciary. Unless you co-operate with the Judiciary in the matter of cleaning this Augean Stables as it were, no enquiry or investigation can do any good. You may have several committees of enquiry and you can spend money over it. Will that remove corruption? Unless reform is made from within, nothing can be done. Well, for my part, I may say that I was never put to the necessity of conniving at or to be a party directly or indirectly to such malpractices. By making these observations I do not mean to say that here and there there is no corruption. We are not now concerned with old days. We are now speaking of the present condition. Most of the old ministerial staff of the Judiciary have been replaced by young graduates and graduates-in-law. By this, I do not mean that the replaced members of the staff were not efficient or honest. Is it the honourable member's suggestion that these graduates and graduates in-law who are clerks and copyists in the ministerial service of the Judicial Department are corrupt?

MR K. MADHAVAN: May I know whether there is any graduate as Amin?

MR. E. SUBRAMONIA IYER: Sir, a time may come if things are to go on at this rate, that even the peon's place will be taken up by graduates. Sir, I was saying that most of the old officers have been replaced by persons with University qualifications. And those process peons and Amins are daily associating themselves with men of accredited honesty and every opportunity is given to them to improve themselves. It is to be hoped that such contact will have a salutary effect upon these peons and Amins.

What I am submitting is that such wholesale condemnation of a department is not proper. I do not for a moment suggest that everything is perfect in the Judicial Department, or for that matter, in any other department. The control now exercised by the High Court and by the District Courts, and by the other presiding officers, over the staff, should not in any way be relaxed; it should be exercised with even greater rigour than now. But, at the same time, let us not forget ourselves; I am making that statement with pointed reference to the members of the Bar. Let us co-operate with the presiding officers and root out corruption, and even its sources. It is the duty of the new incumbents in the Judicial Department, most of whom are graduates and graduates-in-law whose watch-word is honesty and resistence to temptation, to impress upon their colleagues, clerks, amins or peons that honesty after all pays more than dishonesty.

With these words, I oppose the motion.

MR. TARIATHU KUNJITHOMMEN: ഞാൻ ഈ ഉപക്ഷേപത്തെ ബല മായി പിൻതാങ്ങുന്നു. താഴ്ന്ന കോട്ടുകളിൽ കൈക്കൂലിയും അഴിമതി കളും ഏറക്കുറെ നടക്കുന്നുണ്ടെന്നുള്ളത് സർവ്വ ജനങ്ങൾക്കും അറിയപ്പെട്ടുകൊണ്ടിരി

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[Mr. Thariathu Kujitommen]

ക്കുന്ന ഒരു കാര്യമാണ്. ദിവസംപ്രതി ഇതു നടക്കുന്നു. കീഴ്കോടതികളിൽ ഇടപെടുന്ന കക്ഷികൾക്കും വക്കീലന്മാർക്കും ഇതു നല്ലതുപോലെ അറിയാം. ഉന്നതകോടതികളിൽ ഇടപെടുന്നവർക്കു ഈ അനുഭവം ഉണ്ടാകുവാൻ കുറച്ചു പ്രയാസമായിരിക്കും. കീഴ്കോടതികളിൽ ഇടപെടുന്നവർക്കു മാത്രമേ ഇതിന്റെ ഭയങ്കരരൂപം പ്രത്യക്ഷപ്പെട്ടു കാണുകയുള്ളൂ. ഇതിനെപ്പറ്റി ഒരഭിപ്രായം പറയുവാൻ വെറും അനുമാനം മാത്രം പോരാ, പ്രത്യക്ഷാനുഭവംകൂടി വേണം. എങ്കിലും ഒന്നു ഞാൻ പറയാം. മുൻസിഫന്മാരുടേയും മജിസ്ട്രേട്ടന്മാരുടേയും ഇടയിൽ മുൻപിലത്തേക്കാൾ കൈക്കൂലിക്കാർ വളരെ കുറഞ്ഞിട്ടുണ്ട്. മുൻപു തഹശീൽദാരും മജിസ്ട്രേട്ടും ഒരാളായിരുന്നു. ആ കാലത്തു് സക്കീട്ടിലാണ് മജിസ്റ്റീരിയൽ കേസുകൾ വിസ്തരിച്ചുവന്നതു്. ആ സന്ദർഭത്തിൽ അഴിമതികൾ വളരെ നടന്നുകൊണ്ടിരുന്നു. എന്നാൽ രണ്ടും വേർതിരിച്ചതിനുശേഷം അഴിമതി വളരെ കുറഞ്ഞിട്ടുണ്ട്. മുൻസിഫന്മാരുടെ ഇടയിൽ കൈക്കൂലിക്കാരും അഴിമതിക്കാരും ഇപ്പോഴും വളരെ കുറഞ്ഞാണു വരുന്നതു്. എന്നാൽ ഈ രണ്ടു കോർട്ടുകളിലുമുള്ള കീഴ്സിൽബന്ധികളുടെ ഇടയിൽ കൈക്കൂലി നാൾക്കുനാൾ വർദ്ധിച്ചുവരുന്നു. അതു നിറുത്തുന്ന കാര്യത്തിൽ ന്യായസ്ഥന്മാരായ മജിസ്ട്രേട്ടന്മാരോ മുൻസിഫന്മാരോ വേണ്ടിടത്തോളം ശ്രദ്ധിക്കുന്നില്ല. അവർ ന്യായമായിരിക്കുന്നല്ലൊ എന്നു വിചാരിച്ചു് കീഴ്സിൽബന്തികളുടെ കാര്യം കേവലം ഉദാസീനമായി വിട്ടിരിക്കുന്നതായിട്ടാണ് കാണുന്നതു്. തങ്ങൾ അകൃത്യം പ്രവർത്തിക്കുന്നില്ലെങ്കിലും അകൃത്യം പ്രവർത്തിക്കുന്നവനായിരുന്നില്ലെങ്കിൽ ഫലം തങ്ങൾ അകൃത്യം ചെയ്യുന്നതുപോലെ തന്നെയാണെന്നു് വിചാരിക്കേണ്ടതാണു്. ഇപ്പോൾ വിദ്യാഭ്യാസം ധാരാളമുണ്ടു്, അതുകൊണ്ടു് ആത്മാഭിമാനവും സന്മാർഗ്ഗബോധവുംകൂടി വരുന്നുണ്ടു്. അതിനാൽ കൈക്കൂലി, വെളിച്ചം വരുമ്പോൾ അന്ധകാരം മറഞ്ഞു പോകുന്നതുപോലെ, കുറഞ്ഞു കുറഞ്ഞുവരുന്നു എന്നു ചിലർ പറകയുണ്ടായി. എന്നാൽ അനുഭവത്തിൽ അതു ശരിയല്ല. താണസ്ഥാനങ്ങളിൽ ഇരിക്കുന്ന ഭൂരിപക്ഷം ആളുകളും വിദ്യാഭ്യാസയോഗ്യതയുള്ളവരും സംസ്കാരമുള്ളവരും ആണെങ്കിലും അവർ ധാരാളം കൈക്കൂലി മേടിക്കുന്നവരായിട്ടാണ് കാണുന്നതു്. മുൻപു ആഫീസുകാർ രഹസ്യമായി മാത്രമേ വാങ്ങിയിരുന്നുള്ളൂ. ഇപ്പോൾ പബ്ലിക്കായിത്തന്നെ വാങ്ങി തുടങ്ങിയിരിക്കുന്നു. ഒരാളിനു് നൂറോ നൂറൻപതോ രൂപാ ഈടാക്കുന്നതിനായി ഒരു കേസു കൊടു

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കേണ്ടിവന്നാൽ ഒടുവിൽ അയാൾ പശ്ചാത്തപിക്കയാണ് ചെയ്യുന്നത്. കേസു കൊടുക്കണ്ടായിരുന്നു; എന്തെങ്കിലും വാങ്ങിതീരാമായിരുന്നു എന്നു അയാൾ വിചാരിക്കുന്നു. കേസിനു വേണ്ടിവന്ന സമയനഷ്ടവും, ബുദ്ധിമുട്ടും, പലതരത്തിലുള്ള ദുർവ്യയങ്ങളും എല്ലാം ഓർക്കുമ്പോൾ നൂറൻപതു രൂപയുടെ ഈ വിധി സമ്പാദിക്കുന്നതിൽ ഭേദം അൻപതുരൂപാ വാങ്ങി കഴിക്കുകയായിരുന്നു വേണ്ടതായിരുന്നതു എന്നു അയാൾ വിചാരിക്കുന്നു. വിധി പണമായി ഈടാക്കണമെങ്കിൽ വിധി നടത്തുന്ന ഗുമസ്തനും മറ്റുപല ചെറുദ്യോഗസ്ഥർക്കും കൈക്കൂലികൊടുത്തേ സാധിക്കയുള്ളൂ. ഒരു കേസിനുവേണ്ടി കോടതിയിൽ പോകുന്ന ഒരാൾ ഓരോ ദിവസം ആഫീസുകാർക്കു എന്തെങ്കിലും കൊടുത്തില്ലെങ്കിൽ ആ ദിവസം നഷ്ടപ്പെട്ടു, തന്റെ കാര്യവും സാധിക്കാതെ വരും. അതിനാൽ സ്വല്പം നഷ്ടപ്പെട്ടാലും തരക്കേടില്ലാ എന്നു വിചാരിച്ചു് ഈ ഗുമസ്തന്മാർക്കു എന്തെങ്കിലും കൊടുക്കുവാൻ ആളുകൾ തയാറാകും. കൈക്കൂലി കൊടുക്കുവാൻ ആളുകൾ ഉണ്ടായിട്ടാണല്ലൊ അതു വാങ്ങിക്കുന്നതു് എന്നു സാധാരണ പറയാറുണ്ടു്. കൊടുക്കാതെ ഗത്യന്തരമില്ലെന്നു കണ്ടിട്ടാണു് ആളുകൾ കൊടുക്കുന്നതു്. കക്ഷികളെ അവിധത്തിൽ കഷ്ടപ്പെടുത്തി ബുദ്ധിമുട്ടിച്ചുകൊണ്ടാണു് അവർ കൈക്കൂലി വാങ്ങിക്കുന്നതു്. കഷ്ടപ്പെട്ടു സമ്പാദിച്ച ധനം കൈക്കൂലിയായി സന്തോഷത്തോടെ ആരും കൊടുക്കുകയില്ല. കൊടുക്കുന്നവരെ ആരും കുറ്റം പറഞ്ഞുകൂടാ. കൈക്കൂലിയെ സംബന്ധിച്ചു് ആരെങ്കിലും പരാതിക്കുപോയാൽ കീഴ്സിൽബന്ധികളോടു ഒട്ടിനിൽക്കുന്ന ഒരു പതിവാണു് സാധാരണ മേലധികാരികളിൽ കണ്ടു വരുന്നതു്. അഥവാ ഒരു കീഴ്സിൽബന്ധിയെപ്പറ്റി ഒരാൾ പരാതി പറഞ്ഞാൽ അതു ഗൌനിച്ചു് തെറ്റുകാരനെ ശിക്ഷിച്ചാൽ അതു തനിക്കുതന്നെ കുറച്ചിലായിവരുമെന്നാണു് മേൽ ഉദ്യോഗസ്ഥൻ വിചാരിക്കുന്നതു്. തന്റെ ഭരണദുഷ്യത്തെത്തന്നെയാണല്ലൊ പരാതിക്കാരൻ ചൂണ്ടിക്കാണിക്കുന്നതു എന്നാണു് മേലുദ്യോഗസ്ഥന്റെ ചിന്താഗതി. താൻ സ്വയം ശുദ്ധികയുമില്ല പരാതിപറഞ്ഞാൽ ഗൌനിക്കയുമില്ല. പരാതിപറയുന്നവർ മറ്റുള്ളവരുടെ വിരോധത്തിനു പാത്രീഭവിക്കുമാത്രം ഫലം. ഈ സ്ഥിതിക്കു എങ്ങിനെ നീതിനടക്കും. ഇങ്ങിനെയുള്ള കാര്യങ്ങൾക്കു സി. ഐ. ഡി-ക്കാരെ വച്ചന്വേഷിക്കണമെന്നു ചിലർ പറയുന്നതു കേട്ടു. അവരെ വച്ചാൽ അവർതന്നെ കൈക്കൂലി ആദ്യം വാങ്ങിക്കും. അതുകൊണ്ടു് സി. ഐ. ഡി-ക്കാരെന്നു അറിയാൻ പാടില്ലാത്ത കുറെ ആളുകളെ ഹജൂരാഫീസിൽ

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[Mr. Thariathu Kujithommen.]

നിന്നതന്നെ നേരിട്ട നിയമിക്കണം. അവർ ഉദ്യോഗസ്ഥന്മാരായാലും കൊള്ളാം അനുദ്യോഗസ്ഥന്മാരായാലും കൊള്ളാം, സത്യസന്ധന്മാർ എന്ന വിശ്വാസമുള്ള ആളുകളെ നിയമിക്കണം. കാര്യസാമർത്ഥ്യമുള്ള ദിവാൻ ജിയുടെ നേരിട്ട് കീഴിൽ അവരെ വയ്ക്കണം. മേലുദ്യോഗസ്ഥന്മാർ സംക്ഷിപ്ത ചെയ്യുമ്പോൾ ഓരോ സ്ഥലത്തേയും ജനപ്രതിനിധികളോടും കാര്യം ചോദിക്കണം. ആ വിവരം ഹജൂരാഫീസിലേയ്ക്ക് നേരിട്ടെഴുതണം. വേറെ ഒരുത്തരും ഇതു അറിയരുത്.. ഒരു ഉദ്യോഗസ്ഥനു മറെറാരു സ്ഥലത്തേയ്ക്ക് മാറ്റം വരുമ്പോൾ ആ സ്ഥലത്തു ചെന്നതിനുശേഷം അയാളെപ്പറ്റി അഴിമതിക്കാരനാണെന്നുള്ള റിപ്പോർട്ട് വീണ്ടും മേൽപ്രകാരം കിട്ടിയാൽ ആ വിവരം ക്ഷണത്തിൽ വിശ്വസനീയമായിത്തീരുമല്ലൊ. അതായത് മുൻപു വേറെസ്ഥലത്തു വച്ചു അയാളെപ്പറ്റി കിട്ടിയ രേഖയും ഇപ്പോഴത്തെ രേഖയും ഒരുപോലെ ഇരുന്നാൽ ആ ഉദ്യോഗസ്ഥനെ ഗവണ്മെൻറിനു ശരിയായറിയുവാൻ കഴിയും. സി. ഐ. ഡി ക്കാരായി എത്രയും യോഗ്യന്മാരെ മാത്രമേ നിയമിക്കാവു. ചിലർ അയയ്ക്കുന്ന റിപ്പോർട്ടിൽ അവക്കു വിരോധമുള്ളവർ പ്രക്ഷോഭണകാരികളും രാജ്യത്തു സമാധാനം നശിപ്പിക്കുന്നവരാണെന്നും എഴുതിക്കളയും തീരെ വിരോധമുള്ളവരെ സേറററുകാൺഗ്രസ്കാരാണെന്ന് പറയാനും മടിക്കയില്ല. തങ്ങളുടെ ഇഷ്ടന്മാർ സമാധാനലംഘനം ചെയ്യുന്നവരായാലും അവരെ വെള്ളപൂശും.

സർ, ഇങ്ങനെയുള്ള സി. ഐ. ഡി. റിപ്പോർട്ടുകളിന്മേൽ അമിതമായ വിശ്വാസം വയ്ക്കരുത് എന്നാണ് ഞാൻ പറയുന്നത്. യോഗ്യന്മാരായ ആളുകളെ സി. ഐ. ഡി-ക്കാരായി വച്ചു വിവരങ്ങൾ ശരിയായറിയണം. ജനങ്ങളുടെ സുഖദുഃഖങ്ങൾ കീഴുദ്യോഗസ്ഥന്മാരുടെ പ്രവൃത്തികളെ ആശ്രയിച്ചാണിരിക്കുന്നത്. അവരാണ് ഗവണ്മെൻറിൻെറ നിർദ്ദേശങ്ങളെ നടപ്പിൽ കൊണ്ടുവരുന്നതും ജനങ്ങളോടിടപെടുന്നതും. അതുകൊണ്ടു അവരെ ശരിയായി നിയന്ത്രിച്ചില്ലെങ്കിൽ വലിയ ഉദ്യോഗസ്ഥന്മാരുടെ ശേഷിക്കൊണ്ടോ സാമർത്ഥ്യംകൊണ്ടോ യാതൊരു വിശേഷവും ഇല്ല. സല്ല ശമ്പളക്കാരായിട്ടുള്ളവക്കു ശമ്പളം കൂട്ടിക്കൊടുത്താൽ കൈക്കൂലിക്കു കുറെ കുറവുണ്ടായേയ്ക്കും. ശമ്പളം കൂട്ടിക്കൊടുത്തിട്ടും കൈക്കൂലിക്കു യാതൊരു കുറവും ഇല്ലെങ്കിൽ ജോലിയിൽ നിന്നു നീക്കണം. എന്തായാലും കൈക്കൂലിയും അഴിമതിയും കീഴുദ്യോഗസ്ഥന്മാരുടെ ഇടയിൽ ദിവസംപ്രതി നടക്കുകയും സാധുക്കൾ കഷ്ടപ്പെടുകയും ചെയ്യുന്നു. ചില

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വലിയ ഉദ്യോഗസ്ഥന്മാരോടുമാത്രം ഇടപെടുന്നവർ ഇതൊന്നുമില്ലെന്നു പറയുന്നുണ്ട് ; അതിനു കാരണമുണ്ട്. അവനവന്റെ പുറകു്, അവനവനു കാണുവാൻ സാധിക്കയില്ല ; താഴെ നടക്കുന്ന കാര്യങ്ങൾ ഇവർ അറിയുന്നില്ല; ഇവരുടെ പുറകിലാണു ഇതെല്ലാം നടക്കുന്നതു. ഈ അഴിമതികൾക്കും കൈക്കൂലികൾക്കും എത്രയും വേഗം പരിഹാരം വരുത്തണമെന്നു പ്രസ്താവിച്ചുകൊണ്ടു് ഞാൻ ഈ ഉപക്ഷേപത്തെ ബലമായി പിൻതാങ്ങുന്നു.

MR. T. C. KESAVA PILLAI: Sir, in supporting this motion, I would submit the following for the kind consideration of the House.

I have some experience of the lower courts, since I am a Vakil practicing there. I do not think, Sir, there is any justification for speaking so much on what has been called corruption in the Judicial Department. After all, for convenience sake, some parties, at their sweet will and pleasure, some times make small presents to the clerks and other subordinates in courts. We find a similar practise in the Registration Department also. When there is a partition in a big family, the Sub-Registrar obliges the parties ; in turn, the parties give him some small presents. After all, Sir, even in the case of Markendaya, God did not hesitate to set aside his own injunctions ; he chucked out Yama and declared that his devotee shall always be a youth of sixteen ; and thus even *Yama* was dismissed (*Laughter*). Here and there there are stray cases of corruption in the case of the execution clerks and also amins in delivery cases (*Laughter*). I cannot say that there is any corruption in the writing of judgments.

From some of the speeches that I have heard, I have to infer that graduates alone will not steal, and that others will steal. Suppose a graduate is made a constable on Rs, 10 and he has a big family to support. There is no doubt that he will be tempted to be corrupt. If all graduates are sure to be honest, the State Transport Department would not have appointed Checking Inspectors ; because most of the conductors are graduates and may not need any checking.

I am sorry, Sir, that none of my predecessors made any constructive suggestion to remedy the defect. Sir, man as a whole has got a guilty conscience and even if he wants to accuse an innocent man, he will not certainly do it. If there is dirt somewhere it will be published and when it goes to the maximum limit it would be precipitated.

As long as no constructive programme has been placed before the House, any number of C. I. Ds. cannot do much. I would make the suggestion that Government be pleased to connect the Trunk Telephone as early as possible so that it may be possible for the intermediate or higher officers to make a surprise visit on receipt of information over the phone and sack the individual concerned, if he is guilty. Such sacking may take place for one month in a year. The season should not be definitely known. In the month of Chingam it must be

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[Mr. T. C. Kesava Pillai.]

begun in the Judiciary. In Kanni it may be in the Excise Department. In Thulam it may be in the Education Department. Of course the authority that has got absolute power over all these departments alone could control this situation.

Corruption means not only the receipt of bribe. I have seen communalism. I will quote one instance of it. In a certain Municipality they wanted class VI to be opened in their schools. That was a Malayalam school and under a Tamil Assistant Inspector. The Inspector never wants that Malayalam school to be extended. The public applied for permission to open an additional class. But no sanction was coming. That action is something akin to communalism. These matters should be severely dealt with. I submit that the President alone will have to meditate and find out a remedy which should not be let known even to the C. I. Ds. and such a remedy should be immediately applied.

As regards corruption in other Departments also, I do not think there is as much corruption here as in British India or in any other place. Even otherwise there should be a little bit of corruption so that we may be able to realise what corruption is and who corrupt individuals are. Then alone will we be able to have some enjoyment.

MR. K. G. GOVINDAN (*Pattanamtitta*): Mr. Kunjukrishnan indulged in wholesale condemnation of the ministerial staff in the judidiary and Mr. Subramania Aiyar from his experience for six months as a head clerk in the judicial department told us that the ministerial department does not deserve such wholesale condemnation He very advisedly used the words "such wholesale condemnation". He implies thereby that the ministerial staff deserves wholesale condemnation but not to such a severe extent So, Mr. Subramania Aiyar who stood up, I believe, to speak against the motion has also to a very great extent supported the general principle contained in the motion.

Sir, somebody has stated somewhere that law respects no man and there is nobody who is more anxious to observe very correctly this principle than the clerical staff in the Judicial Department. The clerk there respects no man. Just go into his office He does not see you. He is blind, very ardently driving his quill. Speak to him a word. He does not hear you. He is deaf. One is astonished at the ardour with which he does his work. But just throw a small coin before him, say a 7 chuckram silver coin and you see it works wonders. The deaf man hears. The blind man sees. It is wonderful, Sir, how that small coin should contain with in it such miraculous powers. The moment the coin makes a din, as I said, it makes him hear; it makes him see. That is the state of affairs. After that he becomes your obedient servant and he is prepared to do anything you ask him. Ask him for a copy. At once he prepares it. He reads out the whole thing and we can take a copy. So, it has a miraculous effect. This low-paid clerk

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drawing a salary of Rs. 12 or Rs. 15 is capable of nullifying the orders of a District Judge drawing a salary of Rs. 700. The District Judge passes an order, an injunction order or a stay order. Say, a sale is to take place at 1 'O' clock in the lower court at Mavelikara or some other place. The District Judge passes an order at 11-30 staying the sale. The order has immediately to be communicated. It has to be communicated by the clerk but he cannot be seen there at that moment. Unless the scheduled amount is forthcoming he cannot be seen there. So, the party who is very anxious, because if the sale takes place at 1 'O' clock he will be put to very great difficulties. gives the scheduled fee. He is forced to give it because it is a matter of life and death almost. The whole property may go away otherwise So also with the injunction order. If you want to move a stay petition before a Judge the scheduled fee must be coming. There are special fees for each court. There must be a check for all these things.

At this juncture I may refer to an observation made by Mr. E. Subramania Aiyar. He has given the junior members of the bar a kind of advice in which there is a very severe insinuation. The insinuation is that the junior members of the Bar are instigating amins and peons.

MR. E. SUBRAMANIA AIYAR: On a point of personal explanation. I never made any insinuation and I never forget the fact that I was a junior myself.

MR. K. G. GOVINDAN: If he did not make any such insinuation I have nothing to say. But it is a fact, Sir, that the members of the bar here do not indulge in any such kind of instigating the clerks or the ministerial staff. If anybody says otherwise, it is, I think, uncalled for, uncharitable, untrue and disgraceful to the profession

MR. K. G. KUNJUKRISHNA PILLAI: I wish to make a few observations on the motion before the House. If Sir, there is an amin like the traffic constable who occasionally takes a tip, it is only a blessing to him that gives and him that takes and nobody is worse for that, On such experience to make an open condemnation of a whole set of people is certainly not justifiable. I have had much experience in the Munsiff's Courts, in the lower Magistrates' Courts and in every one of those courts where these amins, the process servers, bench clerks and other people are working and I must pay a tribute to the extreme hard work they are doing, very often from 8 in the morning till 8 in the night, not because of any bribes, not because of any temptation placed in their way but because they want to finish their work as much as possible so that the next day's work may be less. It is certainly very uncharitable to say because you might have been disappointed in a particular execution application that the man has taken a bribe probably from the other party. The whole system, Sir, is certainly a very difficult system and a complicated system and the working out of even a petition for execution takes a large amount of necessary delay and the over-enthusiastic lawyer may immediately suspect that bribe has been taken by the clerk from the other side. All these things are

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[Mr. K. G. Kunjukrishna Pillai.]

taking place day by day, but if any one who has been at the bar either as a junior or as a senior can place his hand upon his heart and say "I can testify to the majority of the clerks receiving bribes" I for one would like to say that that is untrue and that 99 per cent of them are honest and hard working and doing their utmost for the benefit of the people of the State. So that when Mr. Subramania Aiyar spoke up for them I was glad because as a senior member of the Bar, as a gentleman who has a very large experience, I expected he will come to the rescue of the people who have no voice here and who were condemned in toto by people who probably had very little experience in these matters.

Our subordinate judiciary, the Munsiffs and the Magistrates are exercising a very great check on these clerks day to day. At least about one and a half hours of every day are spent in checking the work of these clerks. The papers are taken to these officers. The parties and the vakils take to them their complaints. They are heard and disposed of. Then what more can humanly be done? What can the C. I. D. find out as to what is happening behind the doors? Behind the doors practically there is nothing doing. These allegations do show a want of sense of proportion in these matters. These clerks, these amins and these process servers are all attacked by most of the people who are in one sense or other discouraged by these people, not because they take bribes but because the bribes that were offered were not taken very often in a particular matter where there could not possibly be any justice, the party would advance a four chuckram piece. The clerk would not take it. Then that man comes out and says that clerk is corrupt and that he has taken bribe from the other side. To say that these clerks should be watched, that they should be bound hand and foot, I submit, Sir, is certainly, to say the least, a very disproportionate view of the matter to take. Therefore, Sir, having had some personal experience in these matters and an experience of a very satisfactory character. I must pay a willing tribute to the subordinate-ministerial staff of the judicial department for their honesty, hard work and their efficiency.

If there are individual cases, they are very often detected and punished. Proper steps are being taken whenever complaints arise before a Munsiff Court, or Magistrate Court or District Court or even High Court. All those complaints are enquired into and necessary action taken to eradicate malpractices. Therefore, Sir, in voicing forth my opinion and opposing this motion I submit that this motion should not have been made and remarks should not have been expressed to the extent to which it has been done.

MR. P. S. MUHAMED: ഈ സഭമുൻപാകെ വന്നിട്ടുള്ള ഉപക്ഷേപത്തെ ഞാൻ അനുകൂലിക്കുന്നു. മി. സുബ്രഹ്മണ്യയ്യർ പറഞ്ഞതുപോലെ പ്രിസൈഡിംഗ് ആഫീസേഴ്സ് എല്ലാവരും യോഗ്യന്മാരാണെന്നുള്ള തിൽ അഭിപ്രായവ്യത്യാസമില്ല. എല്ലാ പ്രിസൈഡിംഗ് ആഫീസേഴ്സും

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യോഗ്യന്മാരാണ്. അങ്ങിനെയല്ലാതെയുള്ളവർ ഉണ്ടോ എന്ന സംശയമാണ്. ഉണ്ടെങ്കിൽ അവരെ സൂക്ഷിക്കണം. എന്നാൽ പ്ലീഡർസ്, ആമീൻ മുതലായവർ മിസ്റ്റർ കുഞ്ഞുകൃഷ്ണപിള്ള പറഞ്ഞതുപോലെയുള്ളവരല്ല. അവരെ മനുഷ്യർക്ക് ഉപയോഗമുള്ളവരാക്കിത്തീർക്കണമെങ്കിൽ പരമാർത്ഥത്തിലുള്ള സംഗതികളെ മറച്ചു പറയാൻ പാടുള്ളതല്ല. മുൻസിഫ് കോടതിയുമായുള്ള പരിചയം കുറെക്കാലമായി എനിക്കുമുണ്ട്. മി. കുഞ്ഞുകൃഷ്ണപിള്ള പറഞ്ഞതുപോലെ ഈ ചെറിയ ഉദ്യോഗസ്ഥന്മാർക്ക് വേണ്ടതരത്തിലുള്ള പ്രോത്സാഹനം ചെയ്യണമെന്നുള്ളതു അത്യന്താപേക്ഷിതമായ ഒരു സംഗതിയാണ്. അതില്ലാത്തതുകൊണ്ട് അവർ എന്നും കൈക്കൂലിക്കാരായിത്തന്നെ ജീവിക്കണമെന്നു പറയുന്നതു ശരിയല്ല. നൂറിനു തൊണ്ണൂറിയഞ്ചുപേരും യോഗ്യന്മാരാണെന്നു അദ്ദേഹം പറയുന്നു. എന്നാൽ നേരെ മറിച്ചു നൂറിനു ഒമ്പതു പേരും കൈക്കൂലിക്കാരാണ് എന്ന സംഗതി ഉറപ്പായി പറയാതെ നിവൃത്തിയില്ല. ഒരാൾ ഒരന്യായമോ പെറിഷനോ കൊടുത്താൽ അതിലേക്ക് സമൻസോ നോട്ടീസോ അയയ്ക്കും. ഈ സമൻസോ നോട്ടീസോ എടുക്കുക്ഷി കൈപ്പറ്റാതിരിക്കുന്നതിനു ഇവർക്കു പണം കൊടുത്താൽ മതി. അതുപോലെതന്നെ സമൻസും നോട്ടീസും നടത്തുന്ന ആളിനു കൈക്കൂലി കൊടുത്തില്ലെങ്കിൽ തീർച്ചയായും എടുകക്ഷി സമൻസ് കൈപ്പറ്റാതെ മടങ്ങിവരുമെന്നുള്ളതു സാധാരണയാണ്. അങ്ങിനെ മടങ്ങിവന്നാൽ ഒന്നോ രണ്ടോ രൂപാ വീണ്ടും ചെലവാക്കണം. അങ്ങനെ കൂടുതൽ ചിലവുണ്ടാക്കേണ്ടിയിരിക്കുന്നതുകൊണ്ടു തങ്ങൾക്കു അരരൂപാ തന്നാൽ എന്താണു എന്നാണ് ഈ ഉദ്യോഗസ്ഥന്മാർ ചോദിക്കുന്നതു്. അതുപോലെ വിധി നടത്തുന്നതിനു അപേക്ഷ കൊടുത്താൽ വിധിനടത്തുന്ന ഗുമസ്ഥനു ഇഷ്ടപ്പെട്ടതാതെ ഒന്നും സാധിക്കുകയില്ല. ഈ നിലയിലുള്ള സംഗതികൾക്കു എന്താണു പരിഹാരമാർഗ്ഗം സാധുക്കൾക്കു ചെലവു കുറയ്ക്കുന്നതിനുള്ള സൌകര്യങ്ങളാണു കോടതിയിലുള്ളവർ ചെയ്യേണ്ടതു്, ഒരു നോട്ടീസിനുള്ള അപേക്ഷ കോടതിയിൽ ചെന്നാൽ മൂന്നു ദിവസത്തിനകം ആ നോട്ടീസെഴുതണമെന്നു നിർബ്ബന്ധം വേണം. നോട്ടീസ് കൊണ്ടുപോകുന്ന ആൾ നൂറിനു എഴുപത്തിഅഞ്ചും പേർസനലായിത്തന്നെ നടത്തണമെന്നു നിർബന്ധം വയ്ക്കണം.

MR. E. SUBRAMANYA AIYAR: നോട്ടീസിന് ഉത്തരവിട്ടശേഷം പ്രോസസ് ഫീസ് അടയ്ക്കാതിരിക്കുന്നവർ എത്രയുണ്ടെന്നറിയാമോ?

MR. P. S. MUHAMED: നോട്ടീസിന് ഉത്തരവിട്ടശേഷം പ്രോസസ് ഫീസ് അടയ്ക്കാതിരിക്കുന്നുണ്ടെങ്കിൽ അതു് അങ്ങിനെ ഒരു നോട്ടീസുണ്ടു

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[Mr. P. S. Muhamed]

അയാൾക്ക് പ്രയോജനമില്ലെന്നു തോന്നിയതുകൊണ്ടോ അല്ലെങ്കിൽ അയാൾക്കു പണം ഇല്ലാത്തതുകൊണ്ടോ ആയിരിക്കാം. അതു് ആക്ഷം ഉപദ്രവകരമായ ഒരു സംഗതിയല്ല.

MR. E. SUBRAMOANYA AIYAR : വക്കീൽഗുമസ്ഥന്മാർ ഈ സംഗതിയിൽ പങ്കുകാരല്ലേ?

MR. P. S. MUHAMED : അങ്ങിനെയും ഉണ്ടു്. അതു വക്കീലന്മാർ സൂക്ഷിക്കേണ്ട സംഗതിയാണു്. വക്കീലന്മാർ കക്ഷികളുടെ ചുമതലക്കാരാണു്. എന്നാൽ കോടതിയുടെ ചുമതല അങ്ങിനെ ഉള്ളതല്ല. കോടതി എല്ലാത്തിന്റേയും ചുമതല വഹിക്കേണ്ടതാണു്. മാസം തികയുമ്പോൾ അവർ ശമ്പളം വാങ്ങിക്കുന്നതുകൊണ്ടു് ഈ രാജ്യത്തിന്റെ ഉൽകൃഷ്ടനിലയെ അവർ പരിപാലിക്കേണ്ടതാണു്. അതുകൊണ്ടു വക്കീലന്മാർ അജാഗ്രത കാണിച്ചു എന്നു വിചാരിച്ചു് കോടതിക്കും അങ്ങിനെ വിചാരിക്കാൻ പാടില്ല.

വക്കീലന്മാർ എന്തെങ്കിലും കുറ്റം കാണിച്ചാൽ റഗുലേഷൻ അനുസരിച്ചു് അവരുടെപേരിൽ കേസെടുക്കണം. അതു വിഷത്തിൽ കൂടുതൽ ശ്രദ്ധിക്കാത്തതുകൊണ്ടാണു അവർ ഇങ്ങിനെ പ്രവർത്തിച്ചുവരുന്നതു. ഇവിടെയുള്ള വലിയ വക്കീലന്മാർക്കു കച്ചേരിയിൽ നടക്കുന്ന സംഗതികൾ ശരിയായി അറിഞ്ഞുകൂടാ. അവരുടെ ഗുമസ്ഥന്മാരോടു ചോദിച്ചാൽ അറിയാം. ഈ ഗുമസ്ഥന്മാർ ഓരോ ദിവസവും എത്രരൂപാ കൈക്കൂലി കൊടുക്കുന്നു എന്നു അവർ പറയും. ഇതിനെയെല്ലാം സി. ഐ. ഡി. ഉദ്യോഗസ്ഥന്മാരെക്കൊണ്ടു കണ്ടുപിടിച്ചു് അവരെ ഹനിക്കണമെന്നു ഞാൻ അഭിപ്രായപ്പെടുന്നില്ല. ഈ ചെറിയ ഉദ്യോഗസ്ഥന്മാർക്കു കൈക്കൂലി വാങ്ങിക്കാനുള്ള സൌകര്യത്തെ ഉത്തരവാദിത്വമുള്ള പ്രിസൈഡിംഗ് ആഫീസേഴ്സ് കുറയ്ക്കണമെന്നു മാത്രമേ എനിക്കു പ്രായമുള്ളൂ. അതു ചെയ്യണമെന്നുപേക്ഷിച്ചുകൊണ്ടു ഈ ഉപക്ഷേപത്തെ പിൻതാങ്ങുന്നു.

MR. S. CHATTANATHA KARAYALAR. (*Pattanapuram cum Shenkotta*) : Sir, I wish to make a few observations on this motion. The complaint of the mover is against the ministerial subordinates of the Judicial Department. To put in plain words, the complaint is that process servers, amins and execution clerks take moneys from parties and litigants in order to discharge their duties expeditiously. Let us consider the nature of this form of corruption for a movement. I wish to emphasise that this is different in character from the ordinary corrupt practices

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prevalent in certain other departments of Government. What I mean to say is that whatever payments are made by parties for such services are in the nature of voluntary contributions, so that in order to find out a remedy, to stop this evil practice, it is necessary to bear this fact in mind. Let me explain that these contributions are made by the litigant public themselves, sometimes aided and abetted by the pleaders concerned in particular cases. Unless therefore, the litigant public and the vakils co-operate with Government in stamping out this form of corruption, it will be impossible by any means whatsoever to check it. Whether we institute an investigation committee or devise a system under which the officers of the High Court and the subordinate courts are called upon to make extensive travels, it will be impossible to put down this form of corruption, because, it is all done by the litigant public, sometimes aided and abetted by the vakils concerned. Unless therefore these parties co-operate, unless they raise their own standards of morality, it will be impossible to put down this form of corruption. There is no use setting up any secret committees for investigating this form of corrupt practice. What gurantee is there that the members of the investigating committee itself will not be prone to similar tendencies? So then, what I want to emphasise is that the reform, as Mr. Subramonia Aiyar pointed out must come from within and not from without. This is a problem which is not capable of being solved either by extensive travels of the Judges of the High Court or by means of special committees.

MR. C. JEBAMONY NADAR: Sir, I am inclined to oppose this token motion, because a wholesale condemnation of the ministerial officers of the Judicial Department is not quite fair. Of course there might be lapses here and there. Why should the lower courts alone be accused of malpractices, I am not able to understand. Of all the courts, why should the lower courts of the Judiciary be singled out in respect of malpractices? I know there are Munsiffs and Magistrates who are as just as justice could be. My experience is.....

MR. P. KUNJUKRISHNAN: Does the member know in what subject we are?

MR. C. JEBAMONY NADAR: I am fully aware of the motion under discussion..... that whenever any complaint is brought before such a presiding Magistrate or Munsiff, by the parties concerned, for misconduct of his subordinate action is taken then and there and the matter is set right. That is my experience with some of these courts. In fact there might be corruption in all the ranks of the Judiciary, from the highest to the lowest. Of course, as was pointed out by, no less an eminent lawyer than Mr. E. Subramonia Aiyar, they are individual cases. On that ground therefore it is unfair to attack the whole of those hard-working officers who toil from 6 A. M. to 6 P. M. They enjoy no holidays even.

MR. P. KUNJUKRISHNAN: Are not certain other offices working like that?

MR. C. JEBAMONY NADAR: Certainly not like these

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MR. P. KUNJUKRISHNAN: Is it not for getting money that the officers of the lower courts work from 6 A. M. to 6 P. M.?

MR. C. JEBAMONY NADAR: I do not think that they are so working for securing any illegitimate gratification. That is how I understand them. In fact, you cannot expect clients or parties to go to courts so early.

Again I am surprised to find that the mover of the motion has confined his motion to the lower courts alone. I should think that there might be as much corruption in the higher as in the lower courts. That being so I should think that the motion as it stands is an unnecessary insinuation against a hard worked class. With these remarks I oppose the motion.

MR. N. NARAYANA KURUP (*Ambalapuzha* cum *Shertala*): Sir, I also wish to say a few words on this motion. From the speech of Mr. P. S. Mohammed, this House will think that he was referring to the Ministerial Staff in the Courts of Alleppey including the District Court and all the Courts subordinate thereto. But as a lawyer of 13 years standing and with opportunities to appear before one or other courts daily for one case or other, I cannot agree with the opinion expressed by my brother that about 95 per cent. of the Ministerial Staff are corrupt. If my friend was complaining against the conditions 13 years ago I have nothing to say against. But I can boldly and correctly say that not even 2 per cent. of them are corrupt. Almost all in the Ministerial Staff including Clerks, Amins and Peons are beyond corruption. Neither my clients nor I had any occasion to complain against them hitherto. But we may find some old veterans in the art of corruption here and there in the courts among low paid Amins and Peons as the honourable member Mr. E. Subramonia Aiyar remarked, who may desire for some presents, but may do their duties even though nothing is paid to them. But if by chance some of the clients offer this Staff some chewing materials or a cup of coffee, just to encourage them or as a dose of incentive to do the work at once, it cannot be considered as a bribe. It is the anxiety of the client that makes him to offer these materials.

One of the honourable members was remarking that unless some bribe is given to the Clerk he will not communicate the Stay Orders etc., in appeals, in urgent matters in which the order has to reach the destination next day. My experience is otherwise Sir. The Clerks also know the purpose well and they generally help us in all matters in courts as far as possible. There is no necessity of such complaint if the Advocate or client concerned, filed the appeal and obtain the stay sufficiently early so that the order may reach the destination in time.

More than this Sir, all our presiding Officers are quite capable, honest, hardworking and energetic and they are exercising a severe control over their staff in all matters and it is impossible to find corruption practised in the courts in my constituency. If corruption is brought to the notice of the presiding officers they severally punish the offenders. Therefore the wholesale condemnation of the Ministerial Staff is unjustifiable and unwarranted, and I oppose this motion.

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MR T. T. KESAVAN SASTRI: ഞാൻ ഈ ഉപക്ഷേപത്തെ അനുകൂലിക്കുന്നു. മുൻസിഫ് കോടതികളിലും അതുപോലുള്ള മറ്റു ചില ഡിപ്പാർട്ടുമെൻറുകളിലും കൈക്കൂലി അടിക്കടി ഉണ്ടായിക്കൊണ്ടിരിക്കുന്നു എന്നുള്ള സംഗതി പല പ്രാവശ്യവും ഇവിടെ പ്രസ്താവിച്ചിട്ടുണ്ട്. പൊതുവെ ആശാസ്യമല്ലാത്ത ഈ സംഗതിയിൽ ഗവണ്മെൻറ് പ്രത്യേകം ശ്രദ്ധിക്കേണ്ടതാണ്. ഉത്തരവാദപ്രവർത്തനായ ഒരു ഭരണാധികാരിയുടെ കീഴിൽ ശോഭനമായ ഒരു ഭരണം നടന്നുകൊണ്ടുപോകുമ്പോൾ വിവിധ വശങ്ങളിൽനിന്നും ഇങ്ങനെയുള്ള ആരോപണങ്ങൾ ഉണ്ടായിക്കൊണ്ടിരിക്കുന്നതു തീരെ ശരിയല്ല. ജനക്ഷേമത്തിനു പര്യാപ്തമായി തീരുന്നതുമല്ല. ഒരു മാന്യൻ ഉപക്ഷേപം അവതരിപ്പിക്കുകയും മറ്റു പലരും അവരുടെ അഭിപ്രായപ്രകടനംമൂലം അങ്ങിനെ സമ്മതിക്കയും ചെയ്തുകഴിഞ്ഞു. ഏതാദ്ദേശസംഗതികൾ പരമാർത്ഥത്തിൽ നടക്കുന്നതു കണ്ടാൽ അങ്ങിനെയുള്ള ഉദ്യോഗസ്ഥന്മാരെ ന്യായമായി ശിക്ഷിച്ചു നീതിന്യായത്തെ രക്ഷിക്കേണ്ടതു അത്യാവശ്യമാണ്. പൊതുവെ നോക്കുന്നതായാൽ നമ്മുടെരാജ്യത്തു താഴ്ന്നതരം ഉദ്യോഗസ്ഥന്മാരിലാണ് ഈ കൈക്കൂലിപ്രിയം കണ്ടുവരുന്നതു. വലിയ ശമ്പളമുള്ള ഉദ്യോഗസ്ഥന്മാർ കൈക്കൂലി വാങ്ങുന്നതായി കേൾക്കുന്നില്ല. താഴ്ന്നതരം ഉദ്യോഗസ്ഥന്മാർ അവരുടെ ആവശ്യത്തിനു പണം മതിയാകാതെവരുന്നതുകൊണ്ടു ചില മടക്കുകൾക്കു വിധേയരാവുന്നതാകുന്നു. ഏതാദ്ദേശന്മാരായ കീഴ്സിൽന്ധികളെ ശരിയായവിധത്തിൽ ശിക്ഷിക്കുന്ന മേലുദ്യോഗസ്ഥന്മാരുംഇല്ലാതില്ല. കുറക്കാലെ ശിക്ഷിച്ചാൽ തീർച്ചയായും അഴിമതിക്കു കുറവുണ്ടാകുമെന്നു തന്നെ ചെയ്യും. ഏതായാലും നമ്മുടെ രാജ്യത്തിന്റെ ശോഭനമായ ഭാവിയാണു നമ്മുടെവിജയം. ഈ അവസരത്തിൽ ധർമ്മരാജ്യത്തിന്റെ മഹിമയെ ഇല്ലായ്മ ചെയ്യുന്ന ഏതാദ്ദേശസംഭവങ്ങളും മേലാൽ ഉണ്ടാകാതിരിക്കുവാൻ ഗവണ്മെൻറും ഡിപ്പാർട്ടുമെൻറുദ്യോഗസ്ഥന്മാരും ശ്രമിക്കണമെന്നപേക്ഷിച്ചുകൊണ്ട് ഈ ഉപക്ഷേപത്തെ ബലമായി പിൻതാങ്ങുന്നു.

MR. PUTHUPALLI S. KRISHNA PILLAI: There is no subject which gives the Government greater anxiety than about the alleged corruption amongst its officers. Corruption in the Judicial Department, if there be any, is viewed with greater alarm and disfavour by Government and Government are in full sympathy with any feeling in regard to that matter entertained by the public. I may assure honourable members of this House that every effort is being made and will be continued to be made for keeping the Judicial Department free, entirely free from corruption. It is a matter which is of paramount consideration with Government. Government are, however, glad to note that unlike on previous occasions there is a general feeling on the part of

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honourable members of the House who are representatives of the people that the higher ranks of Judiciary are far better and are discharging their duties more efficiently than they were before and that there is very little to be said about or against them. If that is the integrity with which the higher ranks of the Judicial Department are being maintained, if that is the level our judiciary has been able to attain, honourable members may very well feel assured that the same standard will be maintained with regard to the subordinate ranks as well. When it was possible for the Government to attain that efficiency in the higher ranks, it is equally possible for us to achieve the same results in the subordinate ranks also.

In the case of the Judicial Department, Government can very well realise that corruption amongst the Ministerial staff or the subordinate staff is possible not because there is anything fundamentally wrong with them but because there is very great scope for corruption. The number of persons interested in exploiting the Courts of justice for their own advantage and the number of such cases would be very much larger than in the case of other Departments. It has been pointed out here that if a stay order has to be obtained it will involve expenditure of some kind if it is to be given effect to expeditiously. If the parties prefer the application and make a motion sufficiently early there is certainly no room for any alarm for anxiety whatsoever. In the ordinary course the order is despatched in time, provided it is granted by the Judge. But for gaining his own purpose and for the purpose of defeating the opponent and taking him by surprise the party waits till the eleventh hour and then rushes to the court, asks for an order and he wants that the order is despatched within an hour's time. He has come to the court probably avoiding his opponent; probably he was hiding himself in some corner in order to avoid his vigilent opponent. He wants to have the order without anybody knowing it and he wants to keep it as a secret. If it is made public he fears that it would be vetoed by the same Judge because the opposite party may be waiting at the Court's door. If that is the sort of stay order which the clients in question do obtain the inclination to corrupt our officers is more prominent in the case of the Judicial Department than in the case of other Departments.

Similarly it is said that there are rich Amins who are making earnings as high as the salary of the District Judges, namely Rs. 500-700 a month. In an ordinary case where the party wants merely to have orders executed, a proper order in his favour, there will not be much difficulty. But if the party has obtained a decree, say, for instance, against a deceased person or without a subsequent encumbrancer on record and wants to get delivery of the property, he might have committed the error unconsiously or having discovered it during the course of the proceedings might have found it too late to amend; in such cases the party himself has the inducement to corrupt our officers. Officers themselves are not corrupt. Even in such cases I do not say that any

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amount received by the Amin or any subordinate officer is justifiable. But I am trying to bring home to the members the very serious responsiblity devolving on the public. In such cases for the purpose of defeating the opponent, the property corrupts our officers. In such cases even though the Dewan President has stated that if any person would bring to the notice of Government that he has corrupted an officer that party will not be proceeded with.....

PRESIDENT: Order, order.

MR. PUTHUPALLY S. KRISHNA PILLAI: But, in this particular case, Sir, in the integrity of the Judicial Department and as a representative of the administration of justice in the State I must maintain that a person who corrupt a subordinate officer is more guilty than, another who corrupt any other officer. Cases have been brought before the courts where officers were made instruments of ridicule and disrepute by some designing persons saying that the particular officer received bribes. That is a very heinous offence, Sir. Those who now complain of corruption in the subordinate ranks of the Judicial Department must bear these facts in mind.

It is said that our process peons are corrupt. It is said that for the purpose of effecting even a process in the regular court he has to be paid. Such sweeping statements affecting an institution which has been serving the public honorably for a long time is quite undeserved. I will explain the position more fully. Suppose in a case the plaintiff is interested in getting an exparty decree. Knowledge of the institution of the suit will bring the opposite party to court. The result will be that the suit is dismissed. The only way of avoiding this is by getting a false return of service of process. The mischief starts with the plaintiff in such cases. That is probably why, I believe my honourable friend, Mr. Karayalar said that we are all voluntary contributors so far as bribery is concerned. Some people take it only in that light. One honourable member said that there is a third party in this which is the aggrieved party. But what I submit is that there is also a fourth party that is, the Government who are more aggrieved than the others. The institution is maintained for the purpose of serving the public. They are actually maintaining the best judicial officers possible. Those officers themselves are beyond corruption. And they exercise sufficient control over their subordinates. Even then, the cupidity of the litigant public and the frauds they are capable of committing are such that they are able to avade the strictest vigilance that is being maintained by the Government.

MR. K. KUNJU PANICKAR: Is it enough for the honourable to prevaricate the subject by attributing presumptive motives to the litigant public as an explanation so that the discussion might be prolonged?

MR. PUTHUPALLY S. KRISHNA PILLAI: Sir, I was only echoing the sentiment that reform must begin at the proper place. I at the very outset stated that I am certainly against any form of corruption and I can assure that Government are trying their utmost to check corruption wherever it is found. As I have said already, if there is corruption,

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that corruption is due to the temptions offered by certain people who have taken to litigation as their life's work. A humble client, and an ordinary litigant may not resort to all these things. But there are parties who must be taken into account. Reform should begin with these people. That does not mean that Government are not dealing with those matters which come to their notice. I can assure the honourable members that the Government is keeping a strict watch over the subordinates of the Judicial Department and every case that comes to their notice is being severely dealt with. That is the only assurance I can give to the honourable members. But I would request the honourable members to consider the question dispassionately. With these words, I request the honourable member to withdraw his motion.

The motion was, by leave, withdrawn.

Motion No. 123,

MR. K. G. GOVINDAN:

To reduce the allotment of Rs. 2,500 for travelling allowance by Re. 1.

(To point out the necessity for continuing the Munsiff's Court at Pattanamtitta.)

Sir, I beg to move that Rs. 2,500 allotted for travelling allowance be reduced by Re. 1. The object of my motion is to point out the necessity for continuing the Munsiff's Court at Pattanamtitta. From the next year's budget, it is seen that there is no provision for the Munsiff's Court at Pattanamtitta. From that the only possible inference is that Government are not going to continue any court at Pattanamtitta. If this inference is correct, then I have to say something about the necessity of continuing the court at Pattanamtitta. This question of the establishment of a court at Pattanamtitta was discussed elaborately by the Laws Delays Commissioner and he has come to the very definite conclusion that a court is necessary for Pattanamtitta and that it should be in the town or somewhere near it. He has advanced many reasons for it on pages 606 to 609 of the Laws Delays Commissioner's report. One of the reasons for the continuance of the court at Pattanamtitta is that the litigant from Ranni has to travel a distance of 20 to 40 miles if they want to reach the Chengannur Munsiff's Court. And the litigants from Kumpazha have to travel a distance of 12 to 15 miles to reach the Munsiff's Court at Adoor. If there is no Munsiff's Court in the Pattanamtitta taluk, the result will be that the pakuthies of Omallur, Kumbpazha, Pattanamtitta and Vallicode will have to be transferred to the jurisdiction of the Adoor Munsiff's Court and the pakuthies of Elanthoor, Mullapuzhacherry, Cherukole, and Ranni will have to be transferred to the Chengannur Munsiff's Court and the pakuthy of Ayroor will have to be transferred to the jurisdiction of the Tiruvalla Munsiff's Court. The Laws Delays Commissioner has stated that these pakuthies should not be transferred to

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these jurisdictions. The pakuthies of Omallur, Kumpazha and Mullapuzhacherry are nearer to the Pattanamtitta town than to Adoor. So also Ayroor is nearer to Pattanamtitta than to Thiruvalla. In the Pattanamtitta town there are schools, there is a Hospital and Sub-Treasury. In Pattanamtitta there are nearly at present 45 Vakils practising. Regarding the cases filed in the Pattanamtitta Munsiff's Court, the Administration Report of 1112 gives the number as follows :—

"At the close of 1112, original suits pending in the Pattanamtitta Munsiff's Court was 1,777". There are only some 16 Munsiff's Courts out of 40 in the whole State where the number of cases on the file at the close of 1112 is greater than this. There are munsiff's Courts where the number of cases on the file is far less than 1,000. So if a Munsiff's Court is to be abolished or discontinued, my submission is that it should not be the Munsiff's Court at Pattanamtitta, but let it be some other Munsiff's Court.

Sir, the taluk of Pattanamtitta is perhaps one of the biggest in area and it has got a very many other considerations to be taken into account. With these words I move the motion for the kind acceptance of the House.

MR. PUTHUPALLY S. KRISHNA PILLAI: Sir, one question to the honourable member. What was the pendancy in 1112? I heard the member giving the figure as 1,777. Where does the member get that figure from?

MR. K. G. GOVINDAN: From the Administration Report 1112 of the Administration of justice, on page 49.

MR. PUTHUPALLY S. KRISHNA PILLAI: The Government decision may be understood as an adoption of the principle that there are in the state more courts than are justified at the present moment. It may be taken, for the present, that Government may review the whole question and decide upon the abolition of one or more of the courts now in existence in the state.

MR. K. G. GOVINDAN: In view of the explanation offered by the official member, I beg leave to withdraw my motion.

The motion was by leave withdrawn.

MR. K. NARAYANAPERUMAL NADAR: Sir, I move to reduce the allotment of Rs. 2,500 for travelling allowance by Re. 1—to speak of suprise visits of High Court Judges with special reference to Nagercoil Munsiff's Court.

CHAIRMAN PRESIDENT: Your point is that the Nagercoil Munsiff's Court must always be excepting a suprise visit.

MR. K. NARAYANAPERUMAL NADAR: Sir, sometimes I go to the Nagercoil Munsiff's Court not because I have any business there but simply to see how some lawyers conduct the cases. On all those occasions I invariably find that the Munsiff comes to the office at

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11-30 or 12. To the Vakils assembled in the court (in Nagercoil the Vakils are more numerous than the clients) one day I told "why not you organise a public meeting, pass resolution about it and send it to the Government." Well, said one, Vakil "Mr. Nadar, if I do that I am doomed." These Munsiffs will then wreak vengeance on me. The best place for ventillating the grievances will be on the floor of the Legislature." I am therefore moving this motion. If the Judges of High Court who receive Rs. 900 and Rs. 1,400 will visit these courts and make surprise inspections I do not think there will be any more room for complaint against them. On page 31 of the Administration Report for 1113 it is stated that the High Court Judges conducted surprise visits to 2 Civil Courts and one Village Panchayat Court during the last year against 7 Civil Courts and two Village Panchayat Courts in the year before last. Thus while in 1112 they inspected 7 courts, in 1113 they made only two surprise visits, and probably in 1114 they may conduct no surprise visits at all. If our High Court Judges are so lazy how could these small men who receive smaller amounts be expected to be very regular in attending the courts. Some fifteen days ago I saw a High Court Judge near the Museum at about 11-30 on a working day. Sir, this is how our High Court Judges are carrying on the work and that is one of the reasons for the laws' delays in our State.

MR. T. C. KESAVA PILLAI: Sir, in supporting this motion, I may submit that two of the pakuthies of the Vilavencode taluk just six months back transferred to the jurisdiction of the Neyyattinkara Munsiff's Court were about to be sent back or shifted to the Kuzhithurai Munsiff's Court. But that order is being stayed. With regard to the distance and other conveniences it is absolutely necessary that Kollenkode and Palugal pakuthies may be transferred to the jurisdiction of the Kuzhithurai Munsiff's Court. With these words, I support the motion.

MR. PUTHUPALLY S. KRISHNA PILLAI: Sir, in the year 1113, the inspection work was carried on by the Sessions Judges as well and that was the reason why the surprise inspections made by the High Court Judges were so few in number. But a change was effected in 1114. Mr. Nadar apprehends that no surprise inspection would have been made at the rate at which the High Court was inspecting in 1114. I might submit that the number of surprise visits that the High Court Judges have made is more than what he himself might expect. Seventeen courts were inspected during the year 1114 and I may state that many of those surprise visits were fruitful and have yielded encouraging results. In one or two cases, the High Court was able to discover serious irregularities in the conduct of the work of the court and stern measures were taken for correcting the Judges and the staff concerned.

Under these circumstances, Sir, and in view of the great changes made in the system by the Court, I request that the honourable member will withdraw the motion. All that has to be done had been done and the High Court will be doing even more when necessary.

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MR. K. NRAYANAPERUMAL NADAR : Sir, can the member assure that the Judges will make more visits?

MR. PUTHUPALLY S. KRISHNA PILLAI : Yes, Sir. That is exactly the assurance.

MR. K. NARAYANAPERUMAL NADAR. Sir, I beg leave to withdraw the motion.

The motion, was by leave, withdrawn.

MR. K. P. KOCHUKORA THARAKAN : Sir, I move this motion : "To reduce the allotment of Rs. 2,500 for travelling allowance by Rs. 5."

PRESIDENT : You have not indicated what the point is.

MR. K. P. KOCHUKORA THARAKAN : സർ, ഹൈക്കോടതി ജഡ്ജിമാർ വേണ്ടവിധത്തിൽ യാത്രചെയ്തിരുന്നാൽ തിരുവിതാംകൂറിന്റെ വടക്കുപടിഞ്ഞാറെ മൂലയിലിരിക്കുന്ന പറവൂർ ജില്ലാക്കോടതി തീച്ച്യായും, ആ കോടതിയുടെ അധികാരാർത്തിയുടെ മദ്ധ്യ സ്ഥാനത്തേയ്ക്ക് മാറ്റി സ്ഥാപിക്കുമായിരുന്നു. പറവൂർ ജില്ലാക്കോടതി സന്ദർശിക്കുന്തിനു ജഡ്ജിമാക്ക് വളരെ വിഷമമുണ്ട്. വർഷകാലത്താണെങ്കിൽ കാറിൽകയറി അങ്ങേഅറ്റംവരെ പോകാൻ നിവൃത്തിയില്ല. കുറെദൂരം കാറിലും കുറേദൂരം ബോട്ടിലും സഞ്ചരിച്ചാൽ മാത്രമേ പറവൂർ എത്തുകയുള്ളു. പറവൂർ ജില്ലാക്കോടതിക്ക് ഒരു നല്ല കെട്ടിടം ഉണ്ടെന്നുള്ളതു വാസ്തവംതന്നെ. പ്രജാസഭയിൽ പറവൂർ ജില്ലാക്കോടതി അതിന്റെ അധികാരാർത്തിയുടെ മദ്ധ്യസ്ഥാനമായ പെരുമ്പാവൂരോ മറ്റോ മാറ്റി സ്ഥാപിക്കണമെന്ന് വാദിച്ചപ്പോൾ അന്നത്തെ ദിവാൻജി പറവൂരിൽ ജില്ലാക്കോടതിക്ക് ഒരു നല്ല കെട്ടിടമുള്ളതിനാൽ അതു മാറ്റി സ്ഥാപിക്കാൻ നിവൃത്തിയില്ലെന്നു പറഞ്ഞു. ആവശ്യമുള്ള സ്ഥലത്തു കച്ചേരി സ്ഥാപിക്കയല്ലാതെ കെട്ടിടമുള്ള സ്ഥലത്തു കച്ചേരി സ്ഥാപിക്കുന്ന നയം ഒരിക്കലും അനുയോജ്യമല്ല. എന്നുമാത്രമല്ല ആ സ്ഥലത്തു താമസിക്കുന്നവക്കോ ചെല്ലുന്നവക്കോ വേനൽക്കാലത്തു ഉപ്പുവെള്ളമല്ലാതെ കിട്ടുന്നതു പ്രയാസവുമാണ്. അതുകൊണ്ട് ഹൈക്കോടതി ജഡ്ജിമാരെ ചുമതലപ്പെടുത്തി ജനങ്ങൾക്ക് സൌകര്യമായ ഒരു സ്ഥലത്തു പറവൂർ ജില്ലാക്കോടതി മാറ്റി സ്ഥാപിക്കണമെന്നുള്ള അഭ്യർത്ഥനയോടുകൂടി ഈ ഉപക്ഷേപത്തെ ഞാൻ അവതരിപ്പിച്ചുകൊള്ളുന്നു.

MR. A. K. KUMARAN VAIDIAN : സർ, ഞാൻ ഈ അഭിപ്രായത്തെ എതിർക്കുന്നു. ഗവണ്മെന്റിൽനിന്നു വളരെക്കാലത്തിനുമുൻപു് അനേകം ലക്ഷം രൂപാ ചെലവുചെയ്തു പണിയിച്ച ഒരുകെട്ടിടമാണ് പറവൂർ ജില്ലാക്കോടതി. പറവൂരേക്കുള്ള പ്രാധാന്യംതന്നെ ഈ കോടതി അവിടെ ഇരിക്കുന്നതാണ്. പറവൂർ ജില്ലാക്കോടതി മാറ്റി ആ കെട്ടിടത്തിൽ

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[Mr. A. K. Kumaran Vaidyan]

വേറെ ഒരു കച്ചേരിയിടാനുള്ള സൌകര്യമില്ല. പറവൂർ ജില്ലാക്കോടതി അവിടെനിന്നും മാറുന്നതിൽ അവിടെയുള്ള ൻൻ ശതമാനം ജനങ്ങളും എതിരഭിപ്രായക്കാരാണ്. ഇതുയും നല്ല ഒരു കെട്ടിടം ഉപയോഗശൂന്യമാക്കിക്കളഞ്ഞിട്ട് വേറൊരു സ്ഥലത്ത് ഇതിലേക്ക് ഒരു കെട്ടിടത്തിനായി ധനവ്യയം ചെയ്യുന്ന നയം ഈ സാമ്പത്തികക്ഷാമകാലത്ത് ഒരിക്കലും ഗവണ്മെൻറിനു യോജിച്ചതല്ല. പറവൂർ ജില്ലാക്കോടതി പറവൂർനിന്നും മാറരുതെന്നു ഞാൻ പറയുമ്പോൾ എനിക്കു ആ കോടതിയിൽ കേസുള്ളതുകൊണ്ടാണ് ഞാൻ പറയുന്നതു് എന്നാരും ധരിക്കരുതു്. എനിക്കു കേസുകൾ ഒന്നുമില്ല.

PRESIDENT: The time allotted for the Demand is over.

MR. K. P. KOCHUKORA THARAKAN: Sir, I press the motion.

The motion was put to vote and lost.

The following motions lapsed as the time allotted for the Demand had expired.

Motions Nos. 126 to 163.

Motions for reduction of total grant.

MR. KAINIKARA M. PADMANABHA PILLAI:

126. To reduce the allotment of Rs. 89,643 for High Court by Re. 1.

MR. P. S. MUHAMED:

127. To reduce the allotment of Rs. 89,643 for High Court by Rs. 10.

MR. K. NARAYANAPERUMAL NADAR:

128. To reduce the allotment of Rs. 89,643 for High Court by Re. 1.

MR. C. JEBAMONY NADAR:

129. To reduce the allotment of Rs. 89,643 for High Court by Re. 1.

MR. C. JABAMONY NADAR:

130. To reduce the allotment of Rs. 89,643 for High Court by Re. 1.

MR. THARIYATHU KUNJITHOMMEN:

131. To reduce the allotment of Rs. 89,643 for High Court by Re. 1.

16 B—ADMINISTRATION OF JUSTICE—CIVIL AND SESSIONS COURTS—*Salaries.*

MR. A. K. KUMARAN VAIDYAN:

132. To reduce the allotment of Rs. 18,600 for Second Judges by Re. 1.

MR. P. V. MATHAI CHEMPARATHY:

133. To reduce the allotment of Rs. 18,600 for Second Judges by Re. 1.

MR. K. NARAYANAPERUMAL NADAR:

134. To omit the allotment of Rs. 23,100 for Temporary Second Judges.

CIVIL AND SESSIONS COURTS—*Establishment.*

MR. A. K. KUMARAN VAIDYAN:

135. To reduce the allotment of Rs. 1,26,104 for Munsiff's by Re. 1

MR. A. K. KUMARAN VAIDYAN:

136. To reduce the allotment of Rs. 1,26,104 for Munsiffs' by Re. 1.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI:

137. To reduce the allotment of Rs. 1,26,104 for Munsiffs' by Re. 1.

MR. P. V. MATHAI CHEMPARATHY:

138. To reduce the allotment of Rs. 1,26,104 for Munsiffs' by Re. 1.

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Motions for reduction of total grant—(contd.)

MR. P. V. MATHAI CHEMPARATHY :

139. To reduce the allotment of Rs. 1,26,104 for Munsiffs' by Re. 1.

MR. THARIYATHU KUNJITHOMMEN :

140. To reduce the allotment of Rs. 1,37,668 for Munsiffs' local allowances and Temporary Munsiff's by Re.1.

MR. K. P. KOCHUKORA THARAKAN :

141. To reduce the allotment of Rs. 1,37,668 for Munsiffs' local allowances and Temporary Munsiffs' by Re. 1

MR. P. KUNJUKRISHNAN.

142. To reduce the allotment of Rs. 1,37,668 for Munsiff's local allowances and Temporary Munsiff's by Re. 1.

MR. C. JEBAMONY NADAR :

143. To reduce the allotment of Rs. 21,000 for Head Clerk, Clerks etc., (Village Panchayat Courts Establishment) by Re. 1.

MR. K. G. GOVINDAN :

144. To reduce the allotment of Rs. 7,58,430 for Civil and Sessions Courts by Re. 1.

MR. TARIYATHU KUNJITHOMMEN :

145. To reduce the allotment of Rs. 7,58,430 for Civil and Sessions Courts by Re. 1.

16. C—ADMINISTRATION OF JUSTICE—CRIMINAL COURTS—*Salaries.*

MR. A. K. KUMARAN VAIDYAN :

146. To reduce the allotment of Rs. 26,550 for Magistrates by Re. 1.

MR. A. K. KUMARAN VAIDYAN ;

147. To reduce the allotment of Rs. 26,550 for Magistrates by Re. 1.

MR. P. V. MATHAI CHEMPARATHY :

148. To reduce the allotment of Rs. 26,550 for Magistrates by Re. 1.

MR. P. V. MATHAI CHEMPARATHY :

149. To reduce the allotment of Rs. 26,550 for Magistrates by Re. 1.

MR. THARIYATHU KUNJITHOMMEN :

150. To reduce the allotment of Rs. 26, 550 for Magistrates by Re. 1.

MR. THARIYATHU KUNJITHOMMEN :

151. To reduce the allotment of Rs. 26,550 for Magistrates by Re. 1.

MR. K. P. KOCHUKORA THARAKAN ;

152. To reduce the allotment of Rs. 26,550 for Magistrates by Re. 1.

MR. P. NARAYANA PILLAI :

153. To reduce the allotment of Rs. 1,03,300 for Criminal Courts by Re. 1.

MR. N. NARAYANA KURUP :

154 To reduce the allotment of Rs. 1,04,830 for Criminal Courts by Rs. 10.

16 G—ADMINISTRATION OF JUSTICE—CONCILIATION OFFICES—*Salaries.*

MR. TARIYATHU KUNJITHOMMEN :

155. To reduce the allotment of Rs. 18,620 for Conciliation Officers by Re. 1.

MR. P. KUNJUKRISHNAN :

156. To reduces the allotment of Rs. 18,620 for Conciliation Officers by Re. 1.

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Motions for reduction of total grant under Demand III.

MR. VARKALA K. MADHAVAN:
157. To reduce the total allotment of Rs. 11,25,100 under Demand III by Rs. 10.

MR. K. KUNJU PANICKAR:
158. To reduce the total allotment of Rs. 11,25,100 under Demand III by Re. 1.

MR. K. G. GOVINDAN:
159. To reduce the total allotment of Rs. 11,25,100 under Demand III by Re. 1.

MR. P. S. MUHAMED:
160. To reduce the total allotment of Rs. 11,25,100 under Demand III by Rs. 10.

MR. A. K. KUMARAN VAIDYAN:
161. To reduce the total allotment of Rs. 11,25,100 under Demand III by Rs. 10.

MR. P. S. MUHAMED:
162. To reduce the total allotment of Rs. 11,25,100 under Demand III by Rs. 10.

MR. P. V. MATHAI CHEMPARATHY:
163. To reduce the total allotment of Rs. 11,25,100 under Demand III by Re. 1.

DEMAND IV—EDUCATION.

MR. A. GOPALA MENON: (*Director of Public Instruction*): Sir, I beg to move for a grant not exceeding Rs. 44,54,547, under Demand IV—Education, excluding the Travancore University.

MR. P. S. MUHAMED: സർ, ഡയറക്ഷൻ ശമ്പളത്തിലുള്ള ൻെറ ർ ശ്രേയിൽ നിന്നും ഫ o ശ്രേ കുറയ്ക്കണമെന്നുള്ള ഉപക്ഷേപത്തെ ഞാൻ അവതരിപ്പിച്ചുകൊള്ളുന്നു.

ഇതു് പ്രൈവറ്റു് സ്കൂളുകൾക്കു് ഗ്രാൻറ് കൊടുക്കുന്നവിഷയത്തിൽ ഡയറക്ടരുടെ ശ്രദ്ധയെ ക്ഷണിക്കുന്നതിനുമാത്രമാകുന്നു. തിരുവിതാംകൂറിൽ വിദ്യാഭ്യാസം, വിശേഷിച്ചും പ്രാഥമികവിദ്യാഭ്യാസം ഇവിടത്തെ എല്ലാ വീടുകളിലും ചെന്നുചേരണമെന്നു ഇവിടത്തെ എല്ലാ പൌരന്മാരും ഗവണ്മെൻറും ആഗ്രഹിക്കുന്നുണ്ടു്. കമ്പൽസറി എഡ്യൂക്കേഷൻ തന്നെ ഇവിടെ നടപ്പിൽ വരുത്തണമെന്നു ആഗ്രഹിച്ചുകൊണ്ടിരിക്കുന്ന സന്ദർഭത്തിൽ ഗവണ്മെൻറിനെ കൂടുതൽ ഉപദ്രവിക്കാതെ അനദ്യോഗസ്ഥന്മാർതന്നെ മുൻപോട്ടു വന്നു് പള്ളിക്കൂടങ്ങൾ ഉണ്ടാക്കി വിദ്യാർത്ഥികളെ അയച്ചു പഠിപ്പിക്കുന്നതിൽ ഗവണ്മെൻറിനെ സഹായിക്കാമെന്നു വിചാരിക്കുമ്പോൾ അവരെ സ്വാഗതംചെയ്യുകയും അവർക്കു അശേഷം വിഷമമില്ലാത്തതരത്തിൽ വേണ്ടഒത്താശചെയ്യുകയുംപ്രോത്സാഹിപ്പിക്കുകയുംചെയ്ക എന്നുള്ളതായിരിക്കണം ഗവണ്മെൻറു സ്വീകരിക്കേണ്ട നയം. ആ നയമാണു് ഗവണ്മെൻറു ഇപ്പോൾ സ്വീകരിച്ചിട്ടുള്ളതു് എന്നാണു് എൻെറ വിശ്വാസം. എന്നാൽ കഴിഞ്ഞ കുറെ വർഷങ്ങളായി ഗ്രാൻറ് സ്കൂളുകളുടെ നേരെ ഡയറക്ടർ അനുവർത്തിച്ചു കാണിക്കുന്ന നയം വിത്യസ്തമായ രീതിയിലാണെന്നു കാണുന്നതിൽ പരിതപിക്കാതെ നിവൃത്തി

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